



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

July 12, 2005

Mr. Marco K. Boyce, RLA, ASLA
Morris & Ritchie Associates, Inc.
18 Boulden Circle, Ste. 36
Wilmington, DE 19720

RE: PLUS review – PLUS 2005-06-10; Twin Lakes June 2005 Review

Dear Mr. Boyce:

Thank you for meeting with State agency planners on June 22, 2005 to discuss the proposed plans for the Twin Lakes project to be located on the southeast side of Peachbasket Road immediately east of where that road intersects Tomahawk Lane.

According to the information received, you are seeking site plan review for 129 single family residential units and 92 townhomes on 65.51 acres.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as the Town of Felton is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the Town.

Executive Summary

The following section includes some site specific highlights from the agency comments found in this letter. This summary is provided for your convenience and reference. The full text of this letter represents the official state response to this project. ***Our office notes that the applicants are responsible for reading and responding to this letter and all comments contained within it in their entirety.***

State Strategies/Project Location

This project is located in Investment Level 1 and 2 according to the *Strategies for State Policies and Spending*, and is to be annexed into the Town of Felton in accordance with their certified plan. The State has no objections to this development proposal, but would note the following specific comments:

- Plan of Service issues between the Town, the applicant, and the Felton Fire Company must be resolved prior to our office accepting the Plan of Services for this parcel.
- A street interconnection with the existing town via Honeybrook Lane is strongly recommended.

Street Design and Transportation

DelDOT supports the Office of State Planning Coordination's recommendation for a connection to the existing Town streets through an extension of Honeybrook Lane, if that extension is possible.

It is recommended that stub streets be provided to the Clarence E. Voshell property to the south and the Robert G. Wyatt property to the east.

Natural and Cultural Resources

Vegetated buffers of no less than 100 feet should be employed from the edge of the wetland complex.

Because there is strong evidence that federally regulated wetlands exist on site, a wetland delineation, in accordance with the methodology established by the Corps of Engineers Wetlands Delineation Manual, (Technical Report Y-87-1) should be conducted

Given the environmentally sensitive nature of this watershed, the Department believes that the applicant should devote more effort to the implementation of innovative efforts or BMPs to reduce impervious cover. The Department believes that the amount of imperviousness generated by this project (approximately 24%) is excessive and should be reduced.

If lots 1-23, and lots 63-71 are allowed to be developed the Drainage Section requests a note be attached to the deed informing the prospective buyers that future drainage problems are very likely.

The following are a complete list of comments received by State agencies:

Office of State Planning Coordination – Contact: David Edgell 739-3090

This project is located in Investment Levels 1 and 2 according to the *State Strategies for Policies and Spending*. This site is also located in the Kent County Growth Zone and is to be annexed into the Town of Felton upon resolution of some issues regarding the Plan of Services. Investment Levels 1 and 2 reflects areas where growth is anticipated by local, county, and State plans in the near term future. State investments will support growth in these areas. Our office has no objections to the proposed rezoning and development of this project in accordance with the relevant Town codes and ordinances.

The following specific comments are provided for consideration by the applicant and the Town:

- **Plan of Service Issues:** A Plan of Services is required in order to annex property according to Title 22, Section 101 of the Del. Code. Although Felton has completed the steps for annexation according to their charter, our office has not accepted the Plan of Services to date. At issue is the objection of the Felton Fire Company. This issue must be resolved by the fire company, the Town, and the applicant in order for our office to accept the Plan of Services for this parcel.
- **Design Issues:** In our initial PLUS meeting regarding this project we recommended that the applicants consider interconnecting both sides of the development across the power easement, and also interconnecting the development with the street network in the town. We appreciate that the applicants have interconnected both sides of the development. However, we still recommend that the development be connected to the existing town's street network via an interconnection with Honeybrook Lane. Such an interconnection is desirable to increase access for emergency and service vehicles, as well as to promote better circulation and convenience for residents of the new development. Although a gated emergency service access is shown on the plan, an actual street connection would be far superior.

State Historic Preservation Office (SHPO) – Contact: Alice Guerrant 739-5685

Nothing is known in this parcel. The proposed development surrounds a historic property, a house on Peach Basket Rd. (K-2861). This house is in the same location as the Mrs. Needles House shown on Beers Atlas of 1868. Any archaeological remains related to that house are probably contained in the out-parcel. There are no other historic properties with a view towards this project area. The area has only a low potential for prehistoric archaeological sites.

It is recommended that you provide landscape screening around the house on Peach Basket Rd. to block any views into this house's rear and side yards. The State Historic Preservation Office noted the presence of berms around the house, but the developer should also add trees and shrubs, both to block the view further and to cut down on any additional noise.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

Two phases are proposed, on either side of a Conectiv right-of-way that bisects the property. Phase I would be on the east side and Phase II would be on the west side. A street would be provided across the Conectiv easement to connect the two phases.

Presently the land is zoned R in the Town of Felton and it would need to be rezoned to RC to permit the proposed development. The land is presently vacant.

- 1) DelDOT appreciates the proposed street connection between the two phases of the development. It is an improvement over the plan submitted in 2004.
- 2) DelDOT supports the Office of State Planning Coordination's recommendation for a connection to the existing Town streets through an extension of Honeybrook Lane, if that extension is possible.
- 3) It is recommended that stub streets be provided to the Clarence E. Voshell property to the south and the Robert G. Wyatt property to the east.
- 4) DelDOT will require a sight distance analysis for the proposed entrance for Phase I. Our concern is about sight distance to the east.
- 5) Offsite improvements may be required as part of the entrance construction. The Department will require analyses of the operation of the intersections of Peach Basket Road with Delaware Route 12, with Tomahawk Lane, and with Turkey Point Road (Kent Road 240) to determine what improvements are necessary.
- 6) As part of the entrance construction, DelDOT anticipates requiring the developer to improve Peach Basket Road to meet DelDOT's local road standards across the entire frontage of the site. The minimum typical section for those improvements would be two 11-foot lanes, two 4-foot shoulders and a 15-foot wide permanent easement adjacent to the right-of-way line for the construction of a multi-modal path.
- 7) The design of the site entrances should include 5-foot wide bicycle lanes.
- 8) The developer's site engineer should contact the DelDOT project manager for Kent County, Mr. Brad Herb, regarding our specific requirements for access. Mr. Herb may be reached at (302) 266-9600.

**The Department of Natural Resources and Environmental Control – Contact:
Kevin Coyle 739-3091**

Soils

According to the Kent County soil survey, most of the soils mapped on subject parcel (approx. 80-90%) are wetland associated hydric soils (Fallsington and Elkton).

Wetlands

Statewide Wetland Mapping Project (SWMP) maps indicate the presence of palustrine farmed wetlands in this parcel.

Wetlands provide water quality benefits, attenuate flooding and provide important habitat for plants and wildlife. Vegetated buffers of no less than 100 feet should be employed from the edge of the wetland complex. The developer should note that both DNREC and Army Corps of Engineers discourage allowing lot lines to contain wetlands to minimize potential cumulative impacts resulting from unauthorized and/or illegal activities and disturbances that can be caused by homeowners.

Wetland Permitting Information

Impacts to palustrine wetlands are regulated by the Army Corps of Engineers through Section 404 of the Clean Water Act. In addition, individual 404 permits and certain Nationwide Permits from the Army Corps of Engineers also require 401 Water Quality Certification from the DNREC Wetland and Subaqueous Land Section and Coastal Zone Federal Consistency Certification from the DNREC Division of Soil and Water Conservation, Delaware Coastal Programs Section. Each of these certifications represents a separate permitting process.

Because there is strong evidence that federally regulated wetlands exist on site, a wetland delineation, in accordance with the methodology established by the Corps of Engineers Wetlands Delineation Manual, (Technical Report Y-87-1) should be conducted. Once complete, this delineation should be verified Corps of Engineers through the Jurisdictional Determination process.

Site plans indicate that structures will impact Fan Branch. Impacts to streams and associated riparian wetlands are regulated by the Subaqueous Land Section from DNREC Division of Water Resources and the Army Corps of Engineers.

It is also recommended that the Farm Services Agency of the USDA be contacted to assess whether the farmed wetlands on subject parcel meet the recognized criteria for classification as “prior converted wetlands.” Prior converted wetlands are farmed wetlands that have drained or altered before December 23, 1985, and no longer meet the

wetland criteria established under the 404 program. Such wetlands are considered exempt from regulatory protection provided that there is no proof of a continuous “fallow period” of five years or greater in that parcel’s cropping history. Parcels converted after said date regardless of cropping history are considered jurisdictional by the Army Corps of Engineers (ACOE). The contact person is Sally Griffin—she can be reached at 678-4182.

To find out more about permitting requirements, the applicant is encouraged to attend a Joint Permit Process Meeting. These meetings are held monthly and are attended by federal and state resource agencies responsible for wetland permitting. Contact Denise Rawding at (302) 739-4691 to schedule a meeting.

Impervious Cover

Given the environmentally sensitive nature of this watershed, the Department believes that the applicant should devote more effort to the implementation of innovative efforts or BMPs to reduce impervious cover. The Department believes that the amount of imperviousness generated by this project (approximately 24%) is excessive and should be reduced. Use of pervious materials (where possible) in lieu of impervious paving surfaces (asphalt or concrete), can significantly reduce the amount of pollutant-laden surface runoff into wetlands and streams.

TMDLs

With the adoption of Total Maximum Daily Loads (TMDLs) as a “nutrient-runoff-mitigation strategy” for reducing nutrients in the Inland Bays Watershed, reduction of nitrogen and phosphorus loading will be mandatory. A TMDL is the maximum level of pollution allowed for a given pollutant below which a “water quality limited water body” can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are authorized under federal code, states are charged with developing and implementing standards to support those desired use goals. The Jurisdictional authority for attaining these use goals will fall under the auspices of Section 11.5 of the State of Delaware’s Surface Water Quality Standards (as amended August 11, 1999), and will be achieved via nutrient reductions referred to as “pollution control strategies.”

Nutrient reductions prescribed under TMDLs are assigned to those watersheds or subwatersheds on the basis of recognized water quality impairments. In the Murderkill subwatershed, the primary source of water quality impairment is associated with nutrient runoff from agricultural and/or residential development. In order to mitigate the aforementioned impairments, a TMDL reduction level of 40 percent will be required for both nitrogen and phosphorus.

In order for the applicant to verify compliance with the TMDL mandate, a full nutrient accounting process known as nutrient budget should be prepared. The

developer/consultant should contact Lyle Jones (739-4590) in the Department's Watershed Assessment Section for further information regarding the acceptable protocol for calculating a nutrient budget

Water Supply

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-3665.

Sediment and Erosion Control/Stormwater Management

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction inspection will be coordinated through **Kent Conservation District**. Contact Jared Adkins at (302) 741-2600, ext. 3, for details regarding submittal requirements and fees.

Drainage

The application states this property is currently under Kent County Zoning regulations. The Drainage Section requests implementation of the drainage recommendations listed below whether developed under Kent County Zoning or Town of Felton Zoning.

1. This project is within the Murderkill River Watershed, a designated critical area, with a promulgated Total Maximum Daily Load (TMDL). Existing riparian buffers should be preserved to aid in the reduction of nutrients, sediment, and other pollutants. The Subdivision and Land Development Ordinance of Kent County, Delaware requires the planting of a 100-foot riparian buffer and setback from the center blue-line streams, as depicted on the most recent revision of the United States Geological Survey Topographic Quadrangle Maps, within a watershed having a promulgated Total Maximum Daily Load (TMDL). The Drainage Section recommends a tree and shrub planting on said buffers with the tallest trees planted on the south and west side of the blue-line stream to maximize shading. Trees and shrubs should be native species, spaced to allow for mechanized drainage maintenance at maturity. Tree and shrub planting in this

manner will provide a shading effect promoting water quality while allowing future drainage maintenance. Trees should not be planted within 5 feet of the top of the bank to avoid future blockages from roots. The riparian buffer should be planted with herbaceous vegetation to aid in the reduction of sediment and nutrients entering into Fan Branch. Grasses, forbs and sedges planted within this buffer should be native species, selected for their height, ease of maintenance, erosion control, and nutrient uptake capabilities.

2. The Drainage Section is aware of current and historical drainage problems in this area. The drainage to the east of this project was improved in 1990 by way of a drainage improvement project on Fan Branch involving, the Town of Felton, DNREC Drainage Section, and the Kent Conservation District. A downstream analysis is requested to determine if there is sufficient downstream capacity to provide an adequate outfall for this project. The Drainage Section is currently investigating drainage concerns to the west of this project.
3. The Drainage Section does not have a clear understanding where the proposed stormwater management areas will outlet. The application states the proposed outlet for stormwater from this site as infiltration. With consideration to the soils on this property and the anticipated volume of stormwater from this site, the Drainage Section recommends an alternate outlet be located.
4. The Statewide Wetland Mapping Project (SWMP) maps indicate the presence of farmed palustrine wetlands on the property. A portion of the farmed ground on this property is mapped as wetland that has been converted to cropland. It should be noted of the prior converted wetland on this property, while suitable for agricultural purposes, may not provide adequate residential drainage.
5. Concerning future maintenance of drainage conveyances, the Drainage Section requests the majority of the stormwater pipes on this project be located on drainage and utility easements along the streets.
6. Where drainage conveyances within the proposed subdivision are not able to be located along a street, the Drainage Section strongly recommends said drainage conveyances be dedicated as a 30 foot drainage easement and such easement be designated as passive open space, not owned by individual landowners. Designation as open space will aid in the prevention of garages, sheds, fences, and kennels placed along the drainage conveyance preventing the maintenance of said conveyance. All stormwater pipes should be placed in the center of the 30-foot drainage easement. The easement should be planted as vegetated buffers. Trees and shrubs planted within drainage easements should be spaced to allow for mechanized drainage maintenance or the reconstruction of drainage conveyances.

7. If lots 1-23, and lots 63-71 are allowed to be developed the Drainage Section requests a note be attached to the deed informing the prospective buyers that future drainage problems are very likely.
8. The Drainage Section requests that all precautions be taken to ensure the project does not hinder any off site drainage upstream of the project or create any off site drainage problems downstream by the release of on site storm water.
9. For the further enhancement of water quality of the Murderkill River watershed, the Drainage Section encourages additional widths of vegetated buffers on this project.

Open Space

The developer is encouraged to designate open space along the forested area in the eastern portion of the parcel. This will provide adequate buffers for the forest and reduce homeowner disturbance. There is opportunity for habitat enhancement along Fan Branch. The developer is strongly encouraged to plant additional buffers along this water body. Planting of additional trees and shrubs can help improve water quality, would improve habitat and would provide the community with additional aesthetic and recreational resources.

In areas set aside for passive open space, the developer is encouraged to consider establishment of additional forested areas or meadow-type grasses. Once established, these ecosystems provide increased water infiltration into groundwater, decreased run-off into surface water, air quality improvements, and require much less maintenance than traditional turf grass, an important consideration if a homeowners association will take over responsibility for maintenance of community open spaces.

Open space containing forest and/or wetlands should be placed into a permanent conservation easement or other permanent protection mechanism. Conservation areas should also be demarked to avoid infringement by homeowners.

Nuisance Waterfowl

Stormwater management ponds may attract waterfowl like resident Canada geese and mute swans. High concentrations of waterfowl in ponds create water-quality problems, leave droppings on lawn and paved areas and can become aggressive during the nesting season. Short manicured grasses around ponds provide an attractive habitat for these species. DNREC recommends native plantings of tall grasses, wildflowers, shrubs, and trees at the edge and within a buffer area around the perimeter. Waterfowl do not feel safe when they can not see the surrounding area for possible predators. These plantings should be completed as soon as possible as it is easier to deter geese when there are only a few than it is to remove them once they become plentiful. The Division of Fish and Wildlife does not provide goose control services, and if problems arise, property

managers or owners will have to accept the burden of dealing with these species (e.g., permit applications, costs, securing services of certified wildlife professionals). Solutions can be costly and labor intensive; however, with proper landscaping, monitoring, and other techniques, geese problems can be minimized.

Solid Waste

Each Delaware household generates approximately 3,600 pounds of solid waste per year. On average each new house constructed generates an additional 10,000 pounds of construction waste. Due to Delaware's present rate of growth and the impact that growth will have on the state's existing landfill capacity, the applicant is requested to be aware of the impact this project will have on the State's limited landfill resources and to the extent possible take steps to minimize the amount of construction waste associated with this development.

Air Quality

Air pollution threatens the health of human beings and other living things on our planet. While often invisible, pollutants in the air create smog and acid rain, cause cancer or other serious health effects, diminish the protective ozone layer in the upper atmosphere, and contribute to the potential for world climate change. Breathing polluted air can have numerous effects on human health, including respiratory problems, hospitalization for heart or lung disease, and even premature death. Some can also have effects on aquatic life, vegetation, and animals.

Once complete, vehicle emissions associated with this project are estimated to be 17.0 tons (33,921.2 pounds) per year of VOC (volatile organic compounds), 14.0 tons (28,084.5 pounds) per year of NO_x (nitrogen oxides), 10.4 tons (20,721.2 pounds) per year of SO₂ (sulfur dioxide), 0.9 ton (1,844.5 pounds) per year of fine particulates and 1,418.7 tons (2,837,464.6 pounds) per year of CO₂ (carbon dioxide).

Emissions from area sources associated with this project are estimated to be 6.8 tons (13,682.0 pounds) per year of VOC (volatile organic compounds), 0.8 ton (1,505.4 pounds) per year of NO_x (nitrogen oxides), 0.6 ton (1,249.3 pounds) per year of SO₂ (sulfur dioxide), 0.8 ton (1,612.2 pounds) per year of fine particulates and 27.7 tons (55,463.6 pounds) per year of CO₂ (carbon dioxide).

Emissions from electrical power generation associated with this project are estimated to be 2.7 tons (5,422.5 pounds) per year of NO_x (nitrogen oxides), 9.4 tons (18,861.0 pounds) per year of SO₂ (sulfur dioxide) and 1,391.0 tons (2,782,001.0 pounds) per year of CO₂ (carbon dioxide).

	VOC	NO _x	SO ₂	PM _{2.5}	CO ₂
Mobile	17.0	14.0	10.4	0.9	1418.7
Residential	6.8	0.8	0.6	0.8	27.7

Electrical Power		2.7	9.4		1391.0
TOTAL	23.8	17.5	20.4	1.7	2837.4

The Department of Natural Resources and Environmental Control is asking that local jurisdictions consider mitigation to help resolve this issue. Mitigation might involve limiting large new developments to growth zones, focusing development to urban areas capable of providing mass transit services, requiring more energy efficient homes which would lessen air quality impacts, and promoting walkability and bikability within and between developments and town centers.

For this project the electrical usage via electric power plant generation alone totaled to produce an additional 2.7 tons of nitrogen oxides per year and 9.4 tons of sulfur dioxide per year.

A significant method to mitigate this impact would be to require the builder to construct Energy Star qualified homes. Every percentage of increased energy efficiency translates into a percent reduction in pollution. Quoting from their webpage, <http://www.energystar.gov/>:

“ENERGY STAR qualified homes are independently verified to be at least 30% more energy efficient than homes built to the 1993 national Model Energy Code or 15% more efficient than state energy code, whichever is more rigorous. These savings are based on heating, cooling, and hot water energy use and are typically achieved through a combination of:

- building envelope upgrades,
- high performance windows,
- controlled air infiltration,
- upgraded heating and air conditioning systems,
- tight duct systems and
- upgraded water-heating equipment.”

The Energy office in DNREC is in the process of training builders in making their structures more energy efficient. The Energy Star Program is excellent way to save on energy costs and reduce air pollution. They highly recommend this project development and other residential proposals increase the energy efficiency of their homes.

State Fire Marshal's Office – Contact: John Rossiter 739-4394

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

a. **Fire Protection Water Requirements:**

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Townhouses)
- Where a water distribution system is proposed for single family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required. (One & Two- Family Dwelling)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sq.ft., 3-stories of more or over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR
- For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

c. **Accessibility**

- All premises which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Peachbasket Road must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.
- d. **Gas Piping and System Information:**
 - Provide type of fuel proposed, and show locations of bulk containers on plan.
- e. **Required Notes:**
 - Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
 - Proposed Use
 - Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
 - Square footage of each structure (Total of all Floors)
 - National Fire Protection Association (NFPA) Construction Type
 - Maximum Height of Buildings (including number of stories)
 - Townhouse 2-hr separation wall details shall be shown on site plans
 - Note indicating if building is to be sprinklered
 - Name of Water Provider
 - Letter from Water Provider approving the system layout
 - Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
 - Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.delawarestatefiremarshal.com, technical services link, plan review, applications or brochures.

Department of Agriculture - Contact: Mark Davis 739-4811

Overall Comments

The Delaware Forest Service has no objections to the development of this level 1 / level 2 site at this time; however, the Delaware Forest Service encourages the developer to contact them if they have any questions concerning tree preservation and tree planting opportunities within the site.

Right Tree for the Right Place

The Delaware Department of Agriculture Forest Service encourages the developer to use the “Right Tree for the Right Place” for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of

appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

Native Landscapes

The Delaware Department of Agriculture and the Delaware Forest Service encourages the developer to use native trees and shrubs to buffer the property from the adjacent land-use activities near this site. A properly designed forested buffer can create wildlife habitat corridors and improve air quality to the area by removing six to eight tons of carbon dioxide annually and clean our rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive to our local landscapes, please contact the Delaware Department of Agriculture Plant Industry Section at (302) 698-4500.

Utility Right-of-Way Corridor

The Delaware Forest Service encourages the developer to contact the offices of Conectiv Forestry Operations in response to the existing electrical transmission line which bi-sects this parcel. This existing right-of-way has many limitations and restrictions, by contacting their offices future construction conflicts maybe avoided. In addition, a deed restriction should be made for all lots impacted by this facility to avoid future maintenance conflicts for residents.

Public Service Commission - Contact: Andrea Maucher 739-4247

This project is not in a certificated area. If water is requested from a private utility, that utility will need to apply to the Commission for a Certificate of Public Convenience And Necessity (CPCN). The Town of Felton could serve the project, however, it would need to apply to the Commission for a CPCN if it does not annex the property or offers services prior to annexation.

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

Delaware State Housing Authority – Contact Karen Horton 739-4263

According to the *State Strategies Map*, the proposal is located in an Investment Level 2 area and inside the growth zone. As a general planning practice, DSHA encourages residential development in these areas where residents will have proximity to services, markets, and employment opportunities. Furthermore, the proposal targets units for first time homebuyers, which will help to create affordable housing opportunities for low and moderate-income families.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of

PLUS 2005-06-10

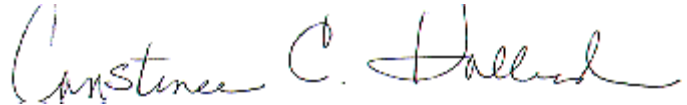
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the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in blue ink that reads "Constance C. Holland". The signature is fluid and cursive, with the first name "Constance" being more prominent.

Constance C. Holland, AICP
Director

CC: Town of Felton
Kent County